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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/167,539	10/07/1998	INH-SEOK SUH	06205.0027	1446

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EXAMINER

YE, LIN

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 02/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/167,539

Applicant(s)

SUH, INH-SEOK

Examiner

Lin Ye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1,4,5,7,8,11,14,15,17 and 19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4,5,7,8,11,14,15,17 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1, 4, 5, 7, 8, 11, 14, 15, 17 and 19 filed on 9/15/2004 have been considered but are moot in view of the new ground(s) of rejection.

Although a new ground of rejection has been used to address additional limitations that have been added to claims 1, 5 and 15, a response is considered necessary for the applicant's arguments regarding the rejections under - 35 USC § 112, first paragraph.

The applicant argues that the specification describes compressing the image data in the image data in a manner that the image data can be restored, which is also known as "lossless" type compression. The examiner disagrees. This is incorrect to state the image data can be restored, which is known as "lossless" type compression. It is well known the image data compressed by the "lossy" type compression method that also can be resorted, e.g., the Silverbrook reference (U.S. Patent 5,845,010) as a example, clearly shows a method for decompressing (expanding) the JPEG (joint photographic experts Group) stands image that uses a "lossy" compressing technique; and the JPEG image can be restored same as the original state (See Col. 6, lines 63-67 and Col. 7, lines 1-13, JPEG process is applied to computer generated text and other graphic objects, hereinafter referred to as "text", see Col. 1, lines 35-38).

The applicant also argues that Examiner previously stated " the Examiner understands the applicant trying to argue the "compression" is lossless ..."; this is clear to the Examiner that the compression of the claimed invention is a lossless-type compression; and for these

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reasons the 35 USC § 112, first paragraph rejection of claims 1,5 and 15 should be withdrawn. The examiner disagrees. It should be noted that examiner understands the applicant is **trying to argue** the claimed invention is a lossless-type compression, **but this does not means** that the claim(s) contains subject matter (lossless-type compression) which was described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

***Claim Rejections - 35 USC § 112***

2. Claims 1, 5 and 15 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Referring to claims 1, 5 and 15, the limitation "... the image data is compressed in a lossless manner ..." is not described in the specification. The applicant's specification only discloses "the focus control unit (80) compresses the image data stored in the frame memory unit 50. Next, the image signal processing unit 70 stores the compressed data in the flash memory card unit 60" (See page 7, lines 17-20). It does not specify whether the compression method is in a lossless manner or lossy manner.

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Appropriate correction is required.

For examination purpose, these claims will be interpreted, as they are best understood.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 7/19  
1/25/05
4. Claims 1, 4-5, 7-8, 11, <sup>14</sup>15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ueno et al. U.S. Patent 5,625,415 in view Mrejen, Jean-Jacques FR Published Application 2674036 (Hereinafter referred to as Mrejen) and Yamaguchi et al. U.S. Patent 6,194,244.

Referring to claim 1, The Ueno reference discloses in Figures 14-15 and 18, a digital still camera comprises a display screen (1302) for displaying an image corresponding to a subject and a mark (1500) representing the focus position; the mark (1500) displayed in the preview picture area (1302) is moved to a target position by a focal point select apparatus (input apparatus 118 in Figure 10); focus control means (control circuit 138) for controlling to focus on a position of the subject corresponding to said mark (See Col. 27, lines 5-15); the control circuit (138) for performing compression (reduction) processing in which a size of an image represented by the image data stored in the frame memory (136 as the **first memory unit** is a frame memory storing image data corresponding the entire frame image ) is compressed to

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one-eighth, and the compressed imaged data (pre-shot image data) is output to the SCSI bus (154) (See Col. 17, lines 51-60). As shown in Figure 10, it clearly shows the compressed image data can be directly stored in image recording apparatus (120 as the **secondary memory unit**) from control circuit (138) via SCSI bus (154) or transferred to processing apparatus (114) for additional signal processing before recording the compressed image data to the recording apparatus (120) (See Col. 19, lines 1-20). However, Ueno does not explicitly state the focal point select apparatus includes a touch screen for moving the mark.

The Mrejen reference discloses in Figures 1-4, a process to control the focusing of a photography device, such as a camera, a movie camera (See Page 2, lines 1-6); the image received and analyzed by CCD sensors (See page 3, lines 5-7 and page 23, lines 13-17); the signals thus received are amplified, the image received is displayed on a flat LCD touch screen (2) (See page 12, lines 10-15); the touch screen allowing a user to move the mark (the sharpness zone including test chart 11, frame 12, or a combination of both as shown in Figure 3a); the mark is thus chosen is taken into account for the automatic control of the focusing (See Page 14, lines 4-7). The Mrejen reference also states the touch screen could also be replaced, for example by a control handle, or joystick, which enables moving the mark (sharpness zone) on the surface of the image displayed on screen (See Page 14, lines 21-24). The Mrejen reference is an evidence that one of ordinary skill in the art at the time to see more advantages for using touch screen to move the mark which corresponding the focus on a position of the subject, because the operation can be performed easily and the cost can be reduced (See page 25, and lines 15-16 sets forth the motivation to provides a very accurate system, which can be used with many focal distances, and with high sensitivity). For that

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reasons, it would have been obvious to one of ordinary skill in the art at the time to see that includes touch screen function for moving the mark representing the focus position in the input apparatus 118 disclosed by Ueno.

The Ueno and Mrejen reference do not explicitly state compressing the image data in a lossless manner (as the means the image data can be restored, see the remarks of applicant's amendment filed 9/15/04, page 6).

The Yamaguchi reference teaches in Figure 13 and 19, a camera (400) with auto-focus mechanism using a MOS sensor comprises first memory (frame memory 418, See Col. 14, lines 21-26) for storing image data corresponding the entire image; compressing the image data stored in the frame memory (418); the compressed image data in a lossless manner (the image data can be expanded to be restored to their original, see Col. 14, lines 62-64) a second memory unit (memory card 412) for storing the compressed image. The Yamaguchi reference is an evidence that one of ordinary skill in the art at the time to see more advantages for the camera system can compressing the image data and the compressed image data can be restored to their original so that the image data can be consistent to reproduce as to display them on display devices or output a hard copy by printer devices. For that reason, it would have been obvious to one of ordinary skill in the art at the time to see the image data that can also be compressed in a lossless manner (as means the compressed image data can be restored) and stored in the second memory unit for late reproduction disclosed by Ueno.

Referring to claim 4, the Ueno reference discloses wherein said focus control unit calculates the focus position by processing image data corresponding to the mark moved by the touch screen (See Figure 18, steps 1904-1906, Col. 27, lines 1-15).

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Referring to claim 5, the Ueno Mrejen and Yamaguchi references disclose all subject matter as discussed with respect to same comments as with claim 1.

Referring to claim 7, the Ueno reference discloses wherein said display means comprises a display screen that shows the image and the mark (See Figures 14-15).

Referring to claim 8, the Mrejen reference discloses wherein touch screen (2) is established on a camera body as shown in Figure 1.

Referring to claim 11, the Ueno Mrejen and Yamaguchi references disclose all subject matter as discussed with respect to same comments as with <sup>claim</sup> 4.

Referring to claim 14, the Ueno Mrejen and Yamaguchi references disclose all subject matter as discussed with respect to same comments as with <sup>claim</sup> 11, and the Yamaguchi reference discloses the compression computer (311) restores (decompresses) the compressed image data (See Col. 13, lines 35-37).

Referring to claim 15, the Ueno Mrejen and Yamaguchi references disclose all subject matter as discussed with respect to same comments as with claim 1.

Referring to claim 17, the Ueno reference discloses calculating said focus position by processing image data corresponding to said relocated focus position as shown in Figure 15.

Referring to claim 19, the Ueno reference discloses generating an address of a memory (120) storing image data (pre-shooting image data) corresponding to a coordinates of focus position (1500); reading image data stored in said address, and calculating the focus position by processing said read image data as shown in Figure 18, steps 1906-1910 (See Col. 27, lines 1-15).



*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
  - a. Silverbrook et al. U.S. 5,845,010 discloses a method for restoring the JPEG images (using a “lossy” technique) back to their original states.
  - b. Echigo et al. U.S. 5,915,046 discloses a lossy compressed image is desired to be restored same as original image.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

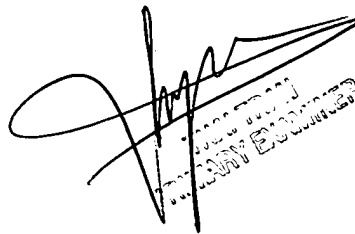
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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (703) 305-3250. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Thai Tran can be reached on (703) 305-4725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lin Ye  
January 27, 2005

A handwritten signature in black ink, appearing to be 'Lin Ye', is written over a faint, rectangular stamp. The stamp contains some illegible text, possibly a date or reference number.